BILL NO. S-80-12-23

SPECIAL ORDINANCE NO. S-03-81

AN ORDINANCE approving a contract between the City of Fort Wayne and Gladieux Refinery, Inc. for fire protection to premises outside the City.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract, dated June 22, 1980, between the City of Fort Wayne, by and through its Mayor and Board of Public Safety, and Gladieux Refinery, Inc. and the furnishing of fire protection by the Fort Wayne Fire Department to premises of Gladieux Refinery, Inc. outside the city limits, described as follows, to-wit:

All buildings and improvements of GLADIEUX REFINERY INC. located in an area:

67-0008-0007 4.195 Acres of West 385 feet East of Fort Wayne Union RR between Wabash RR and U.S. 24 and 30 Northeast 1/4 of Section 8.

67-9990-4012 South 86, 100 square feet Northeast 1/4 Section 8 North of New Haven Avenue, South of Norfolk and Western RR lease ground Fort Union RR.

67-0008-0012-I South 13.78 Chains of East 4.52 Chains West 14.52 Chains of fractional Northeast 1/4 Section 8. 60 acres.

67-0008-0075 East 410.2 of West 1454.4 feet Northeast 1/4 between RR and 24 and 30. Section 8.

67-0008-0005 East 5 acres of mid part fractional Northeast 1/4 South of canal and North of RR and except Southeast 2.94 and vacated road adjacent North of the North Section 8.

67-0008-0041 North 6.85 Acres of West 14.04 feet Northeast 1/4 South of road except Fort Wayne Union RR of Section 8.

67-0008-0017 1.32 Acres of Trl West 385 feet East of Union RR between Maumee Rd. and U.S. 24 and 30 North East 1/4 of Section 8.

at a cost to Gladieux Refinery, Inc. of $10,000.00, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Safety and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. The proceeds of such contract received by the City shall be deposited in the City "Fire Fighting Fund" pursuant to I.C. 18-6-8-2.

SECTION 3. This Ordinance shall be effective upon its passage and approval by the Mayor.

J. Stein
COUNCILMAN

APPROVED AS TO FORM AND
LEGALITY DECEMBER 17, 1980.

J. E. Hoffman
JOHN E. HOFFMAN, City Attorney

Read the first time in full and on motion by Stier, seconded by Eisbart, and duly adopted, read the second time by title and referred to the Committee Finance (and the City Plan Commission for ~~recommendation~~) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock ___ M., E.S.T.

DATE: 12-23-80

Charles W. Westerman
CHARLES W. WESTERMAN
CITY CLERK

Read the third time in full and on motion by V. Schmidt, seconded by Gia Quinta, and duly adopted, placed on its passage. PASSED (~~LOST~~) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	8			1	
BURNS	X				
EISBART	X				
GiaQUINTA	X				
NUCKOLS				X	
SCHMIDT, D.	X				
SCHMIDT, V.	X				
SCHOMBURG	X				
STIER	X				
TALARICO	X				

DATE: 1-13-81

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~ZONING MAP~~) (~~GENERAL~~) (~~ANNEXATION~~) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) No. S-03-81 on the 13th day of January, 19 81.

ATTEST: Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

(SEAL) James S. Stier
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of January, 19 81, at the hour of 11:00 o'clock A. M., E.S.T.

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this 15th day of Jan., 1981, at the hour of 11 o'clock A M., E.S.T.

WINFIELD C. MOSES, JR.
MAYOR

BILL NO. S-80-12-23

REPORT OF THE COMMITTEE ON FINANCE

WE, YOUR COMMITTEE ON Finance TO WHOM WAS REFERRED AN ORDINANCE approving a contract between the City of Fort Wayne and Gladieux Refinery, Inc. for fire protection to premises outside the City

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE Do PASS.

VIVIAN G. SCHMIDT, CHAIRMAN — Vivian G. Schmidt

JAMES S. STIER, VICE CHAIRMAN — James S. Stier

MARK E. GiaQUINTA — Mark E. GiaQuinta

PAUL M. BURNS — Paul M. Burns

ROY J. SCHOMBURG — Roy J. Schomburg

CONCURRED IN
DATE 1/13/81 CHARLES W. WESTERMAN, CITY CLERK

FIRE PROTECTION CONTRACT

This contract is entered into in duplicate this 22nd day of June, 1980, between the CITY OF FORT WAYNE, Indiana, acting by and through its Mayor and Board of Commissioners, Department of Public Safety, ("CITY") and GLADIEUX REFINERY, INC., a corporation having a place of business in Adams Township, Allen County, Indiana.

WHEREAS, GLADIEUX REFINERY is the owner of certain improvements upon real estate near but outside the corporate limits of the CITY, described as follows:

All buildings and improvements of GLADIEUX REFINERY Inc. located in an area:

67-0008-0007 4.195 Acres of West 385 feet East of Fort Wayne Union RR between Wabash RR and U.S. 24 and 30 Northeast ¼ of Section 8.

67-9990-4012 South 86, 100 square feet Northeast ¼ Section 8 North of New Haven Avenue, South of Norfolk and Western RR lease ground Fort Union RR.

67-0008-0012-I South 13.78 Chains of East 4.52 Chains West 14.52 Chains of fractional Northeast ¼ Section 8. 60 acres.

67-0008-0075 East 410.2 of West 1454.4 feet Northeast ¼ between RR and 24 and 30. Section 8.

67-0008-0005 East 5 acres of mid part fractional Northeast ¼ South of canal and North of RR and except Southeast 2.94 and vacated road adjacent North of the North Section 8.

67-0008-0041 North 6.85 Acres of West 14.04 feet Northeast ¼ South of road except Fort Wayne Union RR of Section 8.

67-0008-0017 1.32 Acres of Trl West 385 feet East of Union RR between Maumee Rd. and U.S. 24 and 30 North East ¼ of Section 8.

The said buildings and improvements, which are collectively referred to as "the premises" hereafter in this contract

and, WHEREAS, GLADIEUX REFINERY desires to be assured that fire protection by CITY is available at the premises above-described

NOW, THEREFORE, the parties agree as follows:

1. From June 22, 1980 until June 21, 1981, upon the receipt of CITY'S Fire Department of a notification or signal that there is a fire on the premises above described, CITY shall cause the proper

fire fighting station or stations to send such fire fighting equipment, materials, and personnel to the premises as it reasonably sends to other similar locations within the corporate limits of CITY.

2. For firefighting services provided for herein GLADIEUX REFINERY shall pay to CITY the sum of Ten Thousand Dollars ($10,000.00). Said sum shall be payable upon execution of this contract.

3. CITY shall cause its Fire Department personnel and Fire Prevention Bureau personnel to inspect GLADIEUX REFINERY buildings, equipment, and facilities periodically, at mutually convenient times, to familiarize such personnel with said buildings, equipment, and facilities and GLADIEUX REFINERY operations on the premises and to enforce the City Fire Prevention Code so as to (1) determine the types of fire which may reasonably be anticipated on the premises; (2) be able to render service commensurate with existing service conditions; (3) so as to make recommendations relative to fire prevention.

4. Notwithstanding the foregoing provision, this contract shall not become effective until it shall have been signed by the Mayor and Clerk of CITY, and the members of the Board of Commissioners, Department of Public Safety of CITY, and ratified and approved by the Common Council of CITY.

IN WITNESS WHEREOF, this agreement has been duly authorized and executed as of the date first above written by the duly authorized officers and representatives of the parties.

GLADIEUX REFINERY, INC.

By James M. Gladieux

CITY OF FORT WAYNE, INDIANA

By _____
Win C. Moses, Jr. Mayor

BOARD OF COMMISSIONERS
DEPARTMENT OF PUBLIC SAFETY

By Julianne Richardson
Julianne Richardson, Chairman

By William H. White
William H. White, Member

By Helen P. Brown
Helen P. Brown, Member

I hereby certify that the foregoing contract was ratified and approved by the Common Council of the City of Fort Wayne, Indiana, on January 13, 1981.

Charles W. Westerman
Charles W. Westerman, Clerk

0110

Admn. Appr. _____

DIGEST SHEET

S-80-12-23

TITLE OF ORDINANCE Outside the City Limits Fire Contract

DEPARTMENT REQUESTING ORDINANCE Board of Public Safety

SYNOPSIS OF ORDINANCE This would allow the City of Fort Wayne to provide fire protection for Gladieux Refinery, Inc. They, in turn, will pay the City $10,000.00, which is used to purchase fire equipment.

EFFECT OF PASSAGE The Fort Wayne Fire Department will receive $10,000.00

EFFECT OF NON-PASSAGE The Fire Department will lose $10,000.00

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) none

ASSIGNED TO COMMITTEE (PRESIDENT) Finance